

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**UNITED STATES OF AMERICA**

**CASE NO. 6:24-CR-00073-01**

**VERSUS**

**JUDGE S. MAURICE HICKS, JR.**

**DEVANTE SIMON (01)**

**MAGISTRATE JUDGE CAROL B.  
WHITEHURST**

**REPORT AND RECOMMENDATION ON  
FELONY GUILTY PLEA BEFORE THE  
UNITED STATES MAGISTRATE JUDGE**

Pursuant to Title 28, United States Code, Section 636(b), and with the written and oral consent of the defendant, this matter has been referred by the District Court for administration of guilty plea and allocution under Rule 11 of the Federal Rules of Criminal Procedure.

This cause came before the undersigned United States Magistrate Judge for a change of plea hearing and allocution of the defendant, Devante Simon, on April 9, 2024. The defendant was present with his counsel, Dwazendra Smith. (Rec. Doc. 26).

After the hearing, and for the reasons orally assigned, it is the finding of the undersigned that the defendant is fully competent, that his plea of guilty is knowing and voluntary, and that his guilty plea to Count 1 is fully supported by a written factual basis for each of the essential elements of the offense.

-2-

Additionally, the defendant voluntarily waived the fourteen-day objection period that would otherwise be available under 28 U.S.C. § 636. (Rec. Doc. 21).

Therefore, the undersigned United States Magistrate Judge recommends that the District Court **ACCEPT** the guilty plea of the defendant, Devante Simon, in accordance with the terms of the plea agreement filed in the record of these proceedings, and that Devante Simon be finally adjudged guilty of the offense charged in Count 1.

THUS DONE AND SIGNED in chambers, at Lafayette, Louisiana, on April 11, 2024.

A handwritten signature in black ink, appearing to read "Carol B. Whitehurst", written over a horizontal line.

CAROL B. WHITEHURST  
UNITED STATES MAGISTRATE JUDGE